

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-01981-RDM**

LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER
LAW v. CONSUMER FINANCIAL PROTECTION BUREAU
Assigned to: Judge Randolph D. Moss
Cause: 05:552 Freedom of Information Act

Date Filed: 07/02/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**LAWYERS' COMMITTEE FOR
CIVIL RIGHTS UNDER LAW**

represented by **Martin J. Mackowski**
CROWELL & MORING LLP
1001 Pennsylvania Avenue, NW
Washington, DC 20004
(202) 624-2616
Email: mmackowski@crowell.com
ATTORNEY TO BE NOTICED

John E. McCarthy, Jr.
CROWELL & MORING, LLP
1001 Pennsylvania Avenue, NW
Washington, DC 20004
(202) 624-2579
Email: jmccarthy@crowell.com
ATTORNEY TO BE NOTICED

V.

Defendant

**CONSUMER FINANCIAL
PROTECTION BUREAU**

represented by **William Mark Nebeker**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2536
Fax: (202) 252-2599
Email: mark.nebeker@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/02/2019	<u>1</u>	COMPLAINT against <i>Consumer Financial Protection Bureau</i> (Filing fee \$ 400 receipt number 0090-6231273) filed by LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW. (Attachments: # <u>1</u> Exhibit 1-21, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons)(McCarthy, John) Modified on 7/3/2019 to correct text(zrdj). (Entered: 07/02/2019)
07/08/2019	<u>2</u>	ERRATA and Revised Civil Cover Sheet by LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW <u>1</u> Complaint, filed by LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW. (Attachments: # <u>1</u> Civil Cover Sheet)(McCarthy, John) (Entered: 07/08/2019)
07/08/2019		Case Assigned to Judge Randolph D. Moss. (zeg) (Entered: 07/08/2019)
07/08/2019		SUMMONS Not Issued as to CONSUMER FINANCIAL PROTECTION BUREAU (zeg) (Entered: 07/08/2019)
07/11/2019	<u>3</u>	ERRATA and Revised Proposed Summons by LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW <u>1</u> Complaint, filed by LAWYERS' COMMITTEE

		FOR CIVIL RIGHTS UNDER LAW. (Attachments: # <u>1</u> Summons (Proposed))(McCarthy, John) (Entered: 07/11/2019)
07/22/2019	<u>4</u>	SUMMONS (1) Issued Electronically as to CONSUMER FINANCIAL PROTECTION BUREAU. (ztd) (Entered: 07/22/2019)
08/02/2019	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. CONSUMER FINANCIAL PROTECTION BUREAU served on 7/25/2019 (Attachments: # <u>1</u> Declaration of Lyndsay A. Gorton of Service on Defendant)(McCarthy, John) Modified on 8/6/2019 to correct party served (jf). (Entered: 08/02/2019)
08/02/2019	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 7/25/19. (ztd); (See docket entry no. <u>5</u> to view.) (Entered: 08/20/2019)
08/15/2019	<u>6</u>	NOTICE of Appearance by William Mark Nebeker on behalf of CONSUMER FINANCIAL PROTECTION BUREAU (Nebeker, William) (Entered: 08/15/2019)
08/20/2019	<u>7</u>	ENTERED IN ERROR. . . .RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/29/2019. Answer due for ALL FEDERAL DEFENDANTS by 8/28/2019. (McCarthy, John) Modified on 8/20/2019 (ztd). (Entered: 08/20/2019)
08/20/2019		NOTICE OF ERROR re <u>7</u> Summons Returned Executed in FOIA as to U.S. Attorney; emailed to jmccarthy@crowell.com, cc'd 3 associated attorneys — The PDF file you docketed contained errors: 1. Please refile document, 2. Documents attached are not service for United States Attorney. (ztd,) (Entered: 08/20/2019)
08/26/2019	<u>9</u>	ANSWER to Complaint by CONSUMER FINANCIAL PROTECTION BUREAU.(Nebeker, William) (Entered: 08/26/2019)
08/26/2019		MINUTE ORDER: The parties are hereby ORDERED to appear for a status conference on September 10, 2019, at 10:00 a.m., in Courtroom 21. The parties are further ORDERED to meet and confer prior to the status conference to discuss scheduling for further proceedings. Signed by Judge Randolph D. Moss on 8/26/19. (lcrdm1,) (Entered: 08/26/2019)
08/26/2019		Set/Reset Hearings: Status Conference set for 9/10/2019 at 10:00 AM in Courtroom 21 before Judge Randolph D. Moss. (dot) (Entered: 08/26/2019)
09/09/2019	<u>10</u>	STANDING ORDER: The parties are hereby ORDERED to comply with the directives set forth in the attached Standing Order. See document for details. Signed by Judge Randolph D. Moss on 9/9/19. (lcrdm1,) (Entered: 09/09/2019)
09/10/2019		Minute Entry for proceedings held before Judge Randolph D. Moss: Status Conference held on 9/10/2019. Defendant shall complete the searches of the three electronic databases, on or before 9/30/2019; The Defendant shall do the same with respect to the hard records search, or the fourth search, absent a showing of good cause as to why it can't be done. Joint Status Report due by 10/8/2019. (Court Reporter: Jeff Hook.) (kt) (Entered: 09/10/2019)
10/08/2019	<u>11</u>	NOTICE of Appearance by Martin J. Mackowski on behalf of LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW (Mackowski, Martin) (Entered: 10/08/2019)
10/08/2019	<u>12</u>	Joint STATUS REPORT OF LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW AND CONSUMER FINANCIAL PROTECTION BUREAU by LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW. (Mackowski, Martin) (Entered: 10/08/2019)
10/08/2019		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>12</u> , it is hereby ORDERED that the Bureau shall review and process the documents responsive to Request No. 2018–547 and shall provide any non–exempt records or portions of records to Plaintiff on or before October 16, 2019. It is further ORDERED that the parties shall file a further joint status report on or before October 29, 2019. Signed by Judge Randolph D. Moss on 10/8/19. (lcrdm1) (Entered: 10/08/2019)

10/09/2019		Set/Reset Deadlines: Defendant's shall provide any non-exempt records or portions of records to Plaintiff by 10/16/2019; Joint Status Report due by 10/29/2019. (kt) (Entered: 10/09/2019)
10/29/2019	<u>13</u>	Joint STATUS REPORT <i>OF LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW AND CONSUMER FINANCIAL PROTECTION BUREAU</i> by LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW. (Mackowski, Martin) (Entered: 10/29/2019)
11/04/2019		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>13</u> , it is hereby ORDERED that with respect to Request Nos. 2018-538 and 2019-600, the Bureau shall review and process the responsive documents and make its first production to Plaintiffs on November 22, 2019. It shall thereafter make rolling productions on the twenty-second day of each month or, if the government is closed on that day, on the next business day. It is further ORDERED that the Bureau shall process 600 pages per month. Finally, it is ORDERED that the parties shall file a further joint status report on or before November 29, 2019. Signed by Judge Randolph D. Moss on 11/4/19. (lcrdm1) (Entered: 11/04/2019)
11/27/2019	<u>14</u>	Joint STATUS REPORT by CONSUMER FINANCIAL PROTECTION BUREAU. (Nebeker, William) (Entered: 11/27/2019)
12/03/2019		MINUTE ORDER: Upon consideration of the parties joint status report, Dkt. <u>14</u> , it is hereby ORDERED that the parties shall file a further status report on or before January 29, 2020. Signed by Judge Randolph D. Moss on 12/3/19. (lcrdm1) (Entered: 12/03/2019)